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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,094	06/15/2001	Paul A. Zulpa	YOR920010351US1/I27-0008	7745

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EXAMINER	
FISCHETTI, JOSEPH A	

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/882,094	ZULPA ET AL.	
	Examiner	Art Unit	
	Joseph A. Fischetti	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 11-20* is/are pending in the application.

4a) Of the above claim(s) *11-20* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Election/Restrictions

Applicant's new arguments made post-Final are deemed moot given that the time for responding to the restriction has now lapsed. Even if made timely, these arguments would not have made a difference as the restriction was made with the correct evidence showing legal separate and distinctness between inventions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haung et al. in view of Underwood and Liff et al. Haung et al. disclose a method for facilitating database management 2 processes for an enterprise via a communications network, comprising: extracting part data (support thread 40 analyses or extracts data from database 12) relating to a part from a data storage location (data storage is read as DSS database 12); retrieving activity data related to said part, said activity data including: demand data (81);purchase data (PSI data includes sales data); and creation data (read as the data created for the history of the replaced products col. 36, line 55).

However, Haung et al. fail to disclose evaluating said part data and said activity data; associating a status code with said part data based upon results of said evaluating; and storing said part data and said status code in said data storage location, wherein said facilitating said database management, processes is accomplished by a parts database management software application.

But, Underwood does disclose evaluating using functional interrelationships between business components and then assigning a code to these items and storing same in a database. It would be obvious to modify Haung et al. with the code base arrangement of the data structure of Underwood , the motivation for which would be the increased efficiency of the database relative to an unsorted one not using codes.

Haung et al. also fail to explicitly disclose data including a date a part number for the part is added to the data base. However, Liff et al. does disclose such a cataloging system. In col. 13 lines 33-43 it is disclosed that beginning at the pre-packager 102, all transactions are recorded in real time to the main computer 100. Thus, the data banking step of bar coding the drug package at the device 102 is read as adding a part number because the bar code number is known to the data base 100 as a part number and is done in real time giving it a time stamp as well. It would be obvious to modify the system/method of Haung et al. to include a date stamp of the day the parts enter the system as taught by Liff et al. because the motivation would be the input of data critical to knowing the age of the part on the shelf and to have a quick determination of whether the part has become outdated.

In reply to Applicant's request for documentary evidence supporting alleged official notice of maintaining a status of "active" or "inactive" for database information, Applicant is directed again to Liff et al. (cited in this office action to meet the newly added limitation of "including a date a part number for the part is added to the data storage device"), which in col. 19, lines 18,19 disclose making drugs active or inactive within the database. See also, e.g. Rand et al col. 5 line 63.

RE claim 2: official notice is taken with respect to the old and well known practice of referring to parts by part number; a part name; and a part description.

RE claims 3,6: Haung et al. disclose determining an occurrence of a demand for said part (data history 136,130) and the occurrence of purchase activity (col.12 lines 66,67 accessing POS data) and a date upon which said part number was entered into a database (Haung et al. table 1-3 show date created data and Liff et al. col. 13, lines 33-43); assessing currency of said demand (col. 41 lines 55-59 the long term demand is favored over short term) quantifying said

demand (table 8 quantifies demand); but results of said determining said occurrence are not met by Haung et al. However, based upon Underwood it would be obvious to modify Huang et al. to include the steps of assessing said currency, and said quantifying said demand to cause said parts database management software application to associate said status code with said part data when a first condition is met (first condition is read as planning decision in Haung et al., e.g. presence of demand); and perform additional evaluations of said activity data when the first condition is not met (Underwood teaches subsequent reconfiguring of the coded data post categorization). The motivation for this subsequent analysis and database response would be to maintain the integrity of the data in the data base.

Re claim 4: Haung et al., see tables 7,8 e.g. part data.

Re claim 5: Haung et al., col. 19 line 30 recites "each equipment's activity".

Re claim 8: the demand inquiry in Haung et al. identifies vendors which tells whether said part number is owned by a group of said enterprise. The second half of this claim does not tie any positive elements to effect the desired result.

Re claim 9: the council is read as supply chain participants in Haung et al.

Claims 1,7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haung et al. in view of Underwood and Liff et al. and further in view of Rand et al.
Haung et al and Liff et al disclose a date upon which said part number was entered into a database (Haung et al. table 1-3 show date created data and Liff et al. col. 13, lines 33-43) but no disclosure of obsolete item check.

Rand et al. do disclose such an obsolete check. In particular, Rand et al. disclose record fields which include an specific location for obsolescence see Table 1 item # 16. (reads on determining whether the part number is obsolete) perform additional evaluations of said activity data when the obsolete has not been met (Underwood teaches subsequent

reconfiguring of the coded data post categorization). The motivation for this analysis would be to maintain the integrity of the data in the data base.

Applicant's amendment "including a date a part number for the part is added to the data storage device" necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to PRIMARY EXAMINER Joseph A. Fischetti at telephone number (703) 305-0731.